

TOWN WARRANT

For the Town of Weare

The State of New Hampshire



FIRST SESSION OF THE ANNUAL MEETING

Saturday, January 31, 2009

9:00 A.M.

WEARE MIDDLE SCHOOL

TO THE INHABITANTS OF THE TOWN OF WEARE, IN THE COUNTY OF HILLSBOROUGH, IN
SAID STATE, QUALIFIED TO VOTE IN TOWN AFFAIRS:

You are hereby notified to meet at the Weare Middle School in said Weare on Saturday, January 31, 2009, at nine o'clock in the morning, for the explanation, discussion, debate and possible amendment of Warrant Articles, and to transact all business other than voting by official ballot.

Moderator Laura Buono asked all present to rise for the pledge of allegiance. Moderator Buono stated that Articles 2-8 have to do with Zoning Amendments and will not be discussed at this meeting.

Moderator Buono opened the meeting at 9:10 AM and asked the voters to rise for the Pledge of Allegiance. Then Town Clerk Evelyn Connor was recognized for the reading of the Town residents that have passed away in 2008 and everyone remained standing for a moment of silence.

Chairman Tom Clow was then recognized and gave the State of the Town address.

Moderator Buono then explained the ground rules of how today's meeting is going to run.

ARTICLE 9

Shall the Town raise and appropriate a sum not to exceed One Million, Two Hundred Fifty Thousand Dollars (\$1,250,000.00) for the purpose of constructing a new Public Works (Highway Department) and Transfer Station/Recycling facility and to authorize the issuance of not more than One Million, Two Hundred Fifty Thousand Dollars

(\$1,250,000.00) in bonds and/or notes in accordance with the provisions of the Municipal Finance Act (RSA 33) to finance the project and to authorize the Board of Selectmen to negotiate, issue, sell, and deliver such bonds or notes and to determine the rate of interest thereon and the maturity and other terms thereof? (3/5 ballot vote required).

(Recommended by Board of Selectmen)

Moderator Buono read the article and then addressed Selectman Lacasse to speak. Selectman Lacasse moved the article as written; the motion was seconded. Selectman Lacasse stated that the existing facility is old, the roof leaks, there has been multiple electrical use issues; the roof is not high enough, etc. He used the similarity of the Weare Middle School to this. He explained that we are housing about two million dollars in equipment. The new facility will extend the life of the vehicles and equipment. The equipment and men are the most important assets we have. If they had a building to house the vehicles, they wouldn't need to run for a while ahead of time. This would reduce OT as well.

Janet Brown asked if the Town has looked at the span of the roof and is there enough of a roof load for snow. Also, if we are washing vehicles in the building is there tanks to take care of the water. She was also concerned about the kind of chimney that is shown. Selectman Lacasse responded that this is a pre-engineered steel building for this climate. Carl Knapp, Public Works Director responded to the washing question. Mr. Knapp stated that there will be collector tanks to collect water, salt etc that comes off the vehicles. As far as the chimney, the building will be heated by waste oil via a triple thickness wall pipe on the building.

Johnna Grzywacz, Oak Hill Road, she can see the purpose of this article, but if the building was so bad off before with electrical wires hanging and all, how did it manage to pass inspection in the previous years? She is aware of the Joint Loss Management Committee (JLMC) as it is a mandatory committee that must go out and do a safety inspection and then the reports need to go to the State, did that report get submitted? Another issue would be who would be the person who provided the JLMC how to do the inspections? Have any test borings done on the site to be certain the ground is solid to hold this structure so we don't have problems in the end?

Chris Hague, Chairman of the JLMC responded in regard to the mandatory reports. Mrs. Hague stated that there are two facets. The reports to the labor departments have been filed; in both of them the facility was mentioned it was insufficient. They have done inspections, but they are done by people who are not in the building business, nor are they engineers and architects. They are for safety practices, not for building issues. What is of great concern is that if you carry a failure forward for 3-4 years it could raise a red flag at the labor department. They can then come out, do their own inspection and they do have the ability to shut the building down. The JLMC works very closely with PRIMEX our insurance carrier as they come to all the meetings.

Mr. Knapp said this new facility would go where the existing one is. They have dug around the facility and every year they dig around for various reasons, and the ground appears to be suitable for the building.

Del Rice, Pine Hill Road, stated that he deals a lot with OSHA and FEMA and he has seen the current facility and if you want to push the issue the State can shut it down. Even more of an issue, if someone gets hurt or an illness occurs that could be a real problem if it keeps getting ignored.

Mrs. Grzywacz stated that she is still looking for an answer on the official test borings. If those tests have been done, where can she find the documents?

Selectman Lacasse responded that test borings are not always required, but there will be compaction tests done at various stages of the foundation area before the pouring.

Mrs. Grzywacz asked if the Town is going to hire an engineer to do this. Mr. Knapp responded yes, there are monies in the figure for the engineer. Chip Meany, Code Enforcement Officer stated there is an entire process that goes along with any building. It begins with the planning stages all the way to the end.

George Malette stated it is truly the time for this building to be replaced. This building has the opportunity to pay for itself, as recycling is included with this building.

Frank Campana stated that when he first heard presentation he would like to know how is this project being funded, bond, how long, the cost each year, etc. Selectman Clow stated they haven't decided on the length of the bond. They have received preliminary information for bonding at around 5%. Selectman Clow further added that the Town will be looking at probably a 10 year bond. If they go with the 10 year bond, 2010's payment would be around 21 cents per thousand and then it would decrease to around 14 cents per thousand, but the financing has not been decided on. Mr. Campana stated that he appreciated that but he would like to know the tax impact of that first year total P & I in dollars? Chairman Clow responded it would be around \$192,000. Mr. Campana stated that already between the Town and the schools we are in debt roughly \$2 million. The Town itself is about \$280,000 and now you will be adding at least \$100,000 to that. This is approved, won't hit until December, which will be just an interest payment and then the next year is principle and interest. The \$2 million amounts to about \$2.00 per thousand. It seems to be the philosophy of the CIP committee to pay as we go, which he doesn't have a problem with it. If that is the true idea, why not have it paid for in 1 shot. Selectman Clow responded that Mr. Campana answered his own question and it has to do with the dollar amount. Mr. Campana thought the philosophy should be followed through on. If there is a savings by building a new building, the Board should have that dollar amount, calculate it and return it to the tax payer. The savings are always eating up by boards and it gets

rolled into a budget.

Janet Brown asked if there was a ventilation system in the building for when you have all the trucks running in the building. Ventilation is a concern. Mr. Knapp stated that the building will have a ventilation system. Mr. Knapp stated that he would like to thank everyone that spoke for their feedback and he thinks it is a worthwhile project.

Hal Maloof asked if the cost exceeds \$1.25M how will it be paid for? Selectman Clow responded that we are limited to spend that amount, there is no going over. Selectman Lacasse stated that it would have to be looked at and maybe the building might have to be scaled back.

Being there was no further discussion a motion was made and seconded to restrict reconsideration, all in favor.

ARTICLE 10

Shall the Town raise and appropriate, as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling Four Million Seven Hundred Eighty-Nine Thousand Twelve Dollars (4,789,012.00)? Should this article be defeated, the Default Budget shall be Four Million Six Hundred Thirty-Nine Thousand Eight Hundred Three Dollars (4,639,803.00) which is the same as last year, with certain adjustments required by previous action of the Town or by law; or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised Operating Budget only.

	Department	Proposed	Default
A	TOWN OFFICERS SALARIES	\$ 21,533.00	\$ 21,533.00
B	TOWN OFFICERS EXPENSES	\$ 22,985.00	\$ 21,949.00
C	ELECTIONS & REGISTRATIONS	\$ 14,450.00	\$ 14,450.00
D	TAX COLLECTOR	\$ 40,147.00	\$ 39,832.00
E	FINANCE COMMITTEE	\$ 110.00	\$ 60.00
F	ASSESSING OFFICE	\$ 146,162.00	\$ 146,062.00
G	LEGAL FEES	\$ 67,000.00	\$ 54,000.00
H	FINANCE	\$ 73,589.00	\$ 72,719.00
I	TOWN CLERKS OFFICE	\$ 65,069.00	\$ 63,794.00
J	TOWN CLERK'S SALARY AND BENEFITS	\$ 55,162.00	\$ 55,162.00
K	SELECTMAN'S OFFICE	\$ 163,711.00	\$ 163,311.00
L	CABLE COMMITTEE	\$ 2,000.00	\$ 1,640.00
M	TRUSTEES OF TRUST FUNDS	\$ 85.00	\$ 85.00
N	LAND USE	\$ 71,164.00	\$ 70,836.00
O	GENERAL GOVERNMENT BUILDINGS	\$ 68,629.00	\$ 61,901.00
P	CEMETERIES	\$ 30,995.00	\$ 30,995.00
Q	INSURANCE	\$ 114,790.00	\$ 114,790.00
R	ADVERTISEMENTS AND DUES	\$ 8,192.00	\$ 8,192.00

S	POLICE DEPARTMENT	\$1,273,036.00	\$ 1,213,532.00
T	EMERGENCY MANAGEMENT	\$ 4,500.00	\$ 4,500.00
U	FIRE DEPARTMENT	\$ 277,067.00	\$ 266,690.00
V	BUILDING DEPT/ CODE ENFORCEMENT	\$ 88,343.00	\$ 87,860.00
W	FOREST FIRES	\$ 5,000.00	\$ 3,660.00
X	TOWN MAINT / HIGHWAY DEPT	\$1,280,552.00	\$ 1,251,378.00
Y	STREET LIGHTING	\$ 3,800.00	\$ 3,800.00
Z	TRANSFER STATION	\$ 320,003.00	\$ 319,428.00
AA	SEWER DEPARTMENT	\$ 15,958.00	\$ 15,958.00
BB	WATER DEPARTMENT	\$ 3,396.00	\$ 3,396.00
CC	ANIMAL CONTROL	\$ 16,532.00	\$ 16,532.00
DD	HEALTH OFFICER	\$ 4,711.00	\$ 4,711.00
EE	HUMAN SERVICES	\$ 49,312.00	\$ 39,312.00
FF	PARKS AND RECREATION	\$ 41,865.00	\$ 40,515.00
GG	LIBRARY	\$ 175,327.00	\$ 164,143.00
HH	PATRIOTIC PURPOSE	\$ 500.00	\$ 500.00
II	CONSERVATION COMMISSION	\$ 1,617.00	\$ 1,357.00
JJ	ECONOMIC DEVELOPMENT	\$ 2,000.00	\$ 1,500.00
KK	DEBT SERVICE	\$ 259,720.00	\$ 259,720.00

TOTAL EXPENDITURE	\$ 4,789,012.00	\$ 4,639,803.00
LESS ANTICIPATED REVENUE	\$ 2,691,844.00	
TOTAL TO BE RAISED BY TAX	\$ 2,097,168.00	
VALUATION/1000	\$ 921,443.00	
ANTICIPATED TAX IMPACT	\$ 2.27	2.11

Moderator Buono read Article 10 and then recognized Chairman Clow to speak. Chairman Clow stated that the difference between the proposed budget and default budget is \$249,142 which represents about a 5.5% increase. Many of the increases are scattered through several departments. Chairman Clow noted the more notable increases. Janet Brown asked about the Police, particularly the overtime, as she heard it was over by a lot. Do the gentleman earn time and half? She asked about our cruisers being used for details in other towns. Does the officer get paid by the Town and the company? Chief Greg Begin stated last year we had a number openings and to effectively cover 24-7-365 as the Town wants, required a lot of overtime. If they are hired for details the entire costs for the cruiser, officer, etc is paid for by that company. Frank Campana stated that he feels if anyone votes for anything less than the default it is not necessary. He felt some budgets were padded and he stated why he thinks that. He has a draft copy of 12-15 minutes which he quotes some of the board members about the budgets. If the schools do not get their proposed budgets, between the two schools, someone can look at roughly a \$300 increase in their tax bills. He speaks in opposition to the proposed budget; people have to realize that any of these articles that are voted on in March it won't hit your tax bill until December. Del Rice stated that he supports the budget because if you keep putting this off, you will just be falling behind on the infrastructure, he also doesn't like to spend everything we got. There are places we can fix things, but if you keep denying the things they are

not going to get cheaper. The system is going to give sooner or later. John Lawton questioned the operating budget regarding the Town workers and asked if they were negotiating a contract. Chairman Clow responded that you won't find anything in the budget for contracts because they are going to be working on negotiations soon. Neal Kurk stated that he is concerned about the default budget but he feels the Board of Selectmen has done a good job and now we have a real choice between the proposed and the default.

Being there was no further discussion; a motion was made and seconded to restrict reconsideration, all in favor.

ARTICLE 11

Shall the Town raise and appropriate the sum of Three Hundred Sixteen Thousand Four Hundred Thirty-Five Dollars (\$316,435.00) to be added and allocated to the previously established Capital Reserve Funds as shown in the chart below?

Library Computer Replacement Fund	\$ 2,435.00
Highway Truck & Equipment Replacement Fund	\$ 200,000.00
Transfer Station Equipment Fund	\$ 10,000.00
Recreational Dev. & Improvement Fund	\$ 18,000.00
Computer System Fund	\$ 20,000.00
Police Cruiser Fund	\$ 66,000.00

(All the items listed in this article are part of the Town's Capital Improvement Program.)
Anticipated tax impact= \$ 0.34

(Recommended by Board of Selectmen)

Moderator Buono read the article and recognized Selectman Richard Butt to speak. Selectman Butt stated that these are part of the Town's Capital Improvements Program (CIP) and there are other items that are also part of the CIP that are not included in this article. This year represents the lowest of the last several years. The Library fund is the last phase to complete a project. This fund may be eliminated and in future years as it could be included in the Computer Fund. Selectman Butt then gave a detailed explanation of what is being covered in this article. Frank Campana asked about the police car rotation. He wanted to know if the Mercury Sable that is being replaced the one that has always gone home with an officer. Chief Begin responded, yes this is the car. Mr. Campana stated that he felt these guys get compensated well and he doesn't think the tax payers should be footing the bill for another officer to take a car to go back and forth to home. They can provide their own transportation. Del Rice stated that this is one of the times he agrees with Mr. Campana. Chief Begin responded that it has been addressed; there was a detective, prosecutor, School Resource Officer, Deputy Chief, the Chief and now the K-9 officer having cars. Two administrators who are on call 24 hours and the chief are the only ones that take cars home. So he has reduced it from 6 to 3. He feels the two cars that are taken home are vital to keep the town safe.

Chris Hague is speaking as a Town employee and Town Librarian. We are speaking about items that should be handled in another manner. If there are objections to a particular budget or department they really need to go to the department heads directly. This budget is the Town's budget and it has an impact on many departments and she didn't think that an objection to one department shouldn't affect everyone.

Being there was no further discussion; a motion was made and seconded to restrict reconsideration, all in favor.

ARTICLE 12

Shall the Town raise and appropriate the sum of Sixty Thousand Dollars (\$60,000.00) for the purpose of purchasing equipment to grind up brush at the Transfer Station?

Anticipated tax impact = \$0.07

Moderator Buono read the article and recognized Chairman Clow to speak, who then called on Carl Knapp to speak. Chairman Clow stated that the Board of Selectman supports this article as new legislation was passed that doesn't allow the continuation of burning brush. Mr. Knapp stated that other Towns have dealt with it in different ways. The other way is to charge people that bring it in and haul it off just like demolition. It is a fee, but in a lesser way. John Lawton stated that he doesn't have a problem with it, but have we asked if the Town has looked at any alternative to this, like a tree company to come in and do it a few times a year. Mr. Knapp stated that he has and they don't just come do it for free it costs between \$1,000 to \$2,000 per day. Mr. Knapp responded that the brush that comes in needs to be gone through because people bring in other stuff not just brush. Jerry Little asked if there is a difference between commercial use and residential use on this service. Is there any way of differentiating it? Mr. Knapp responded that they take brush from Town residences, but some people hire cleanup services to do this but we still have to take this.

Being there was no further discussion; a motion was made and seconded to restrict reconsideration, all in favor.

ARTICLE 13

To see if the Town will approve the cost item included in the collective bargaining agreement reached between the Board of Selectmen and AFSCME Local 3657 Police Department Employees which calls for the following increases in salaries and benefits at the current staffing level:

Year	Estimated Increase	Year	Estimated Increase
2009	\$29,318.00	2010	\$22,584.00

and further to raise and appropriate the sum of Twenty-Nine Thousand, Three Hundred Eighteen Dollars (\$29,318.00) for the current fiscal year, such sum representing the additional costs attributable to the increase in salaries and benefits over those of the appropriation at current staffing levels paid in the prior fiscal year.

Anticipated tax impact = \$0.03

(Recommended by Board of Selectmen)

Moderator Buono read the article and recognized Chairman Clow to speak. Chairman Clow stated that he would first like to comment on why you will see recommendations on some of the articles and not on all of them. These are all on there because they are recommended by the Board, but there are certain restrictions and guidelines by the law that some have the recommendation and some don't. The Board of Selectmen started negotiations several months ago and we had different views but they worked towards a compromise in early January that is reflected in this article. This represents an increase in the base pay of 2.75%, which is really the basis of this increase.

Paul Marsh, Colby Road stated that this is not to address the nature, but the language, he has a question on the first 6 words, and shouldn't it say "Shall the Town approve the cost item..." if it should be he would propose an amendment. A motion was made and seconded to allow the change, all in favor.

Jim Franciscovich stated that he feels the 6.75% increase is excessive. Chairman Clow responded that it was a bargaining agreement and this was an agreement made between both parties. Mr. Franciscovich stated that he is just looking for some comparative information to get to the conclusion this was a reasonable agreement, other towns, etc. He hasn't heard any of that and he is trying to understand the rationale as a taxpayer. There should be some basis for the agreement and he would like to know the basis.

John Lawton was a little surprised that the union contract included steps, similar to the teacher's contract. How many steps are allowed before reaching the top? Chairman Clow responded eight (8) steps. Chief Begin stated the way the steps are set up, each year is about a 3.5% increase so each step is about 3.5% increase, what this contract is doing is shifting the scale to take into consideration the cost of living, which is about 2.75%. Mr. Lawton asked if we have any patrolmen at the end of their steps? Chairman Clow stated we have one (1) that will only get the 2.75% increase. Mr. Lawton asked what happens when they reach the end of the eight (8) steps, but it seems like a never ending spiral. He felt it was a pretty hefty increase in this community. Chief Begin responded to Mr. Franciscovich of where they came up with the salaries. These are looked at against other Towns in an effort to keep the officers here and keep the wages competitive. Chairman Clow wanted to follow up on Chief Begin's comments, when you bring in a new person you have a lot of costs associated with it.

Frank Campana asked how can we afford this? He continued, it is paid for by the public tax payers and not the private industries that is how we afford it. He doesn't agree with this contract. If it was private, there would be more accountability. It does mimic the state police contract. He can appreciate the dangers inherent with the job, but how can anyone come forward with a contract that mimics the State contracts. He thinks this is absurd.

Neal Kurk regretfully can't support this either. We live in an environment where people are fearful of their jobs, unemployment has gone up, frankly a lot of folks that work for the public should be pleased they have their jobs. First, 6.25% in an environment when

in 2007 inflation was 1.07% is unreasonable. The second is the new law the State passed, basically this one and the new contracts will in the future see the same increases even if no contract is signed. This is a terrible contract for the taxpayers and this guarantees practically forever a 6.25% each year. If it is voted down there will be no increases.

Janet Brown asked if the Town votes not to approve this, does the Town still have to pay for it. Chairman Clow responded it is absolutely up to the voters, if it voted down the wages stay the same as 2008. This Board is not setting policy the State level does that. Chairman Clow clarified what Mr. Kurk stated with regard to the 6.25% increase and the State law, but the Board is recommending this article.

Paul Marsh asked if the contract is available for public inspection and where can be see it. Chairman Clow responded the contract is still being worked on because it involves other things beside just the increases. They only came to an agreement on the financial part. There are still other parts of the contract that have not been worked out. Chairman Clow said that they can get a copy available for public inspection.

John Lawton pointed out that it always seems that anyone in the public sector is expected to have a raise. His question being is, where there are steps at 3.5% he thinks that is excessive.

Being there was no further discussion, a motion was made and seconded to restrict reconsideration, all in favor.

ARTICLE 14

Shall the Town raise and appropriate the sum of Four Hundred Thousand Dollars (\$400,000.00) for road reconstruction and resurfacing of roads? Of the \$400,000.00, it is anticipated that the sum of Two Hundred Forty-Seven Thousand Seven Hundred Fifty-Two Dollars (247,752.00) would be received from Highway Block Grant Funds from the State of New Hampshire (Pursuant to RSA 235) with One Hundred Fifty-Two Thousand Two Hundred Forty-Eight Dollars (\$152,248.00) to be raised from taxation.

Anticipated tax impact= \$0.17

Moderator Buono read the article and recognized Selectman Lacasse to speak. Selectman Lacasse stated that this is self explanatory. He drives from Weare to Manchester everyday and our roads are superior because we continue to keep up with our roads.

Being there was no further discussion, a motion was made and seconded to restrict reconsideration, all in favor.

ARTICLE 15

Shall the Town raise and appropriate the sum of Six Thousand Dollars (\$6,000.00) to cover the costs of the Town's participation in one (1) local Household Hazardous Waste Collection in 2009? This warrant article has been designated by the Board of Selectmen as a Special Warrant Article so that the funds, if approved, may not be transferred for any other purposes.

Anticipated tax impact = \$0.006
(Recommended by Board of Selectmen)

Moderator Buono read the article and recognized Selectman Kurk to speak. Selectman Kurk stated this is an article that we have had in previous years that allows you to bring your hazardous waste to the transfer station for years to properly dispose of it. Mr. Knapp stated that at one time we did two (2) of these, so we reduced it to once a year, which seems adequate. Moderator Buono asked if the collection day was going to be in the fall. Mr. Knapp responded yes, hopefully in October.

Being there was no further discussion, a motion was made and seconded to restrict reconsideration, all in favor.

ARTICLE 16

Shall the Town raise and appropriate the sum of Twenty Thousand Dollars (\$20,000.00) for cemetery improvements? This sum to be withdrawn from Cemetery Trust Funds Cy Pres Account.

Anticipated tax impact = \$0.00

Moderator Buono read the article and recognized Chairman of the Cemetery Trustees, Don Burke to speak. Mr. Burke stated we are not asking any money from the taxpayers, this money comes from the trust funds. This money that is used doesn't take any principle only interest.

Being there was no further discussion, a motion was made and seconded to restrict reconsideration, all in favor.

ARTICLE 17

Shall the Town raise and appropriate the sum of Forty-Three Thousand, One Hundred Eighty-Four Dollars (\$43,184.00) to cover the cost of hiring a Full-Time Fire Chief with EMT-I or paramedic certification? This sum to cover six (6) months wages, payroll taxes, and benefits. If approved, future funding for this position will be included in the Fire Department Operating Budget on an annual fiscal year (12-month) basis.

Anticipated tax impact = \$0.05

Moderator Buono read the article and recognized Acting Interim Fire Chief Bill Tiffany to speak. Mr. Tiffany explained that the purpose of this article is going to replace Chief Richards who retired at the beginning of December, with a paid full time chief. We need to replace him. The Board of Fire Wards felt if we could replace him with a full time chief with EMT and paramedic certification and/or paramedic. He would carry out administration duties, inspections, work with CEO, etc. This person if approved would not be hired until June.

Donna Osborne asked how Mr. Tiffany came about the figure for wages, is it low compared to surrounding towns? Mr. Tiffany stated that he took the book from the Local Government Center. He went on to say that he took thirty-two (32) Towns that were the same size, square miles coverage, etc. and tried to pick towns similar in tax base. It wasn't rocket science. It wasn't the lowest, it would probably be the middle.

Janet Brown asked if we are going to hire a full time chief, is he going to stay over night? How is one person going to do the work for labor laws? Are we going to become a full time fire station? Mr. Tiffany responded in order for an ambulance to respond from a scene to the hospital it requires two (2) EMT's, so if the chief is available and one other available volunteer, it could respond. No he is not going to live at the station. Chairman Clow stated the board supports this article. He reminded those present, that you will recall for the last two (2) years we have put on the warrant for two (2) full time EMT's. When the Fire Department came forward with this proposal it was to have a per diem EMT in place as well, so that we would have the Fire Chief and the per diem EMT to be able to respond. They couldn't quite figure out how that was going to work out to provide that additional coverage, so they agreed to go with the Fire Chief article but not both. The Board does support this and feel that the Town has reached a point to have a full time chief and having one with certification makes sense.

Evelyn Connor stated that she was curious about the hours for this person. Mr. Tiffany stated this would be a salary position. All of that would all have to be worked out between the Board of Fire Wards and the potential candidate. Mrs. Connor asked if they are going to required to live in town. Mr. Tiffany stated he would think so, but if not within a certain radius or mileage limit. Mrs. Connor stated that in the Master Plan several years ago it stated that we need a full time fire department and she feels we will need more than a chief.

Frank Campana thanked Evelyn Connor for taking away one of his questions. Mr. Campana knows they have a car and would assume it will go with that position, he certainly would hope it would stay in town. Mr. Campana asked if the figure includes benefits. Chairman Clow responded, yes.

Joanna Gareri stated that she is listening to Mr. Tiffany and she feels that this article is premature until such time that the Fire Department have ironed out all these little kinks. She personally thinks this article shouldn't be here this year.

Forrest Esenwine agreed with Mrs. Gareri, it seemed to him that this is premature. The department has done very well in the past with a part time chief, but now all of a sudden we have had an upheaval we don't seem to get an answer of why or solutions. We don't know what we are spending it on, other than a few words written here.

Jerry Little agreed with the last couple of speakers, there is not enough detail. Is there a written job description, minimum certification requirements, etc. the public could look at. He questioned, generally, who will be responsible for hiring this person. At what level would the decision be made. How do we do that, hence an amendment to this article. Chairman Clow responded that the ordinance in the town states that the Board of Fire Wards would be responsible for the hiring. It would have to have some fiscal approval by the Board of Selectmen. Mr. Tiffany responded that currently what they are looking for is for this person to have at a very minimum Level II certification, knowledge of the NFPA requirements, ability to prepare budgets, etc. The reasons they haven't gone any further is because they need to see if the taxpayers will consider this at all. Jerry Little asked if it would be appropriate to add

sider this at all. Jerry Little asked if it would be appropriate to add amendments of words of "up to but not to exceed \$43,184..." Moderator Buono explained that language could be added to it, but they can't exceed that amount, they could spend less. Mr. Little moved the above as a motion and it was seconded. Chairman Clow asked Attorney Laura Spector to speak on the proposed amendment. Attorney Spector explained that the Department of Revenue Administration (DRA) is not crazy upon that wording, but probably would not disallow it. Mr. Little further amended the amendment to read "up to the sum of \$43,184...". A second was made for the amended amendment. Vote on the amended amendment: all in favor.

Jan Snyder wanted to add the words "Level II firefighter certification and EMT-I certification...". That was made in a motion and seconded. Discussion: Donna Osborne asked for clarification of each level. Mr. Tiffany stated that are EMT-B = basic; then EMT-I = intermediate level; and then you have a paramedic. Each step is an increase of training and different capabilities of what they can do on the ambulance. Vote on the amendment: all in favor.

John Lawton stated that to him it seemed like it was hurried to be put on for today. How long has it been developing this article? Mr. Tiffany stated that they have been working on this former Chief Richards turned in his resignation letter, December 1st, so about 2 months. Mr. Lawton stated that some other towns probably have done this and we are not trying to reinvent the wheel. He would like to see something concrete, established that we are going to use, duties, etc. He would like amend this article to \$0 then have it come back next year with some concrete established procedure of how we are going to do this. Frank Camapana seconded the motion to zero out the dollar amount. Brenda Lashaway she would like to have the Townspeople vote on article and would be opposed to zeroing it. Joanna Gareri felt the entire article was premature and she supports the amendment of \$0. She would like to see it worked on a little longer and come up with something viable that makes sense. Chairman Clow stated that the Board of Selectmen did support the article and the previous amendments wouldn't change it much. He would like to see it go forward as first written. Mr. Campana would support the amendment provided that the mailer refers to some of today's comments about it being not a real well thought out plan. Mr. Campana would like the Town to vote on it with FULL understanding of the article, both positives and negatives. Roy Blanchette supports the amendment. Selectman Butt speaks in opposition to the vote. He feels that we should allow the voters to make that choice. We are not creating a full position, it is going to include a well defined description. He agrees the information is needed but he doesn't feel it should be zeroed out.

Beth Salerni stated she would not support the amendment, we only get to vote once a year and we will have to wait a full year. She agrees things are missing, but the Town should get to vote on it. A vote was taken on the amendment: amendment failed.

Mr. Tiffany stated that he will work with the Board of Selectmen to try to get some of the questions answered.

Mrs. Osborne is concerned about going outside the department and is really concerned with that.

Jan Brown stated that she would like a member or two of the Board of Selectmen to be involved with the Board of Fire Wards to determine who the next chief will be.

Terry Knowles questioned there are statutes requiring what the Board of Fire Wards can and can't do, perhaps Attorney Spector can tell us what the Town can and can't do.

Attorney Spector stated that she didn't have the ordinance with her, but she recalls that it does give the Board of Fire Wards the sole authority authority to hire the Fire Chief. Selectman Kurk mentioned that Mr. Tiffany and the Board of Selectmen have discussed this and they will be working collaboratively towards the final result. The Board of Selectmen would have a friendly position.

Mr. Tiffany stated that he feels that although the Board of Fire Wards have the authority he thinks it only proper and fair to keep the Board of Selectmen informed.

Being there was no further discussion, a motion was made and seconded to restrict reconsideration, all in favor.

ARTICLE 18

Shall the Town raise and appropriate the sum of Four Hundred Sixty Thousand Dollars (\$460,000.00) for the purpose of purchasing a new fire truck and to take any other action needed in relation thereto? Further to fund this appropriation by authorizing the withdrawal of Two Hundred Seventy-Six Thousand Four Hundred Dollars (\$276,400.00) from the Weare Fire Department Vehicle Replacement Special Revenue Fund, and authorizing the withdrawal of One Hundred Eighty-Three Thousand Six Hundred Dollars (\$183,600.00) from the Fire Department Vehicle Replacement Capital Reserve Fund. Anticipated tax impact = \$0.00

Moderator Buono read the article and recognized Acting Interim Fire Chief Bill Tiffany to speak. Mr. Tiffany stated that they currently have a truck at the Sugar Hill station that is 30 years old and it needs to be replaced. This new truck will be a pumper. It will be AWD. It is going to be going to the South Weare station and Engine 4 will be to the Sugar Hill Station.

Jerry Little questioned the wording of "and to take any other action needed in relation thereto?" Selectmen Kurk responded that there may be other items needed to after it is purchased.

Forrest Esenwine questioned that if this amount is approved, there will be no tax impact on the purchase of this vehicle. Chairman Clow responded, yes.

Attorney Laura Spector stated that in response to Mr. Little's question, typically the wording means to outfit a vehicle.

Neal Kurk asked if there was any consideration in purchasing a used vehicle. Mr. Tiffany stated that basically this article makes this money available to purchase a truck. The Board of Fire Wards has not discussed the idea of used but but that could be looked at. Mr. Kurk stated the wording says "NEW" he would like to see a used one looked at. Mr. Lawton said he feels the price of \$460,000 is too expensive. If we take that money out does that deplete the fund totally? Chairman Clow responded that in the CIP fund the funds would be depleted but in the Special Revenue fund there would still be some money. Mr. Lawton stated that if we are depleting these funds where are we going to be when they come in next for another request, where are we putting ourselves down the road. Selectman Butt responded the estimated cost was \$274, 800 in 2006 he believes the increase is the mandated costs with regard to safety. He is not sure if a used vehicle is a good purchase. As far as the CIP program goes, when we start spending down the CRF there will get to a point there are zero dollars. The CIP subcommittee looks at a 10 year horizon to keep the expense constant. We do have a constant revenue source to offset these replacements.

Mr. Kurk moved to amend the article to read "Shall the Town raise and appropriate the sum of Two Hundred Fifty Thousand (\$250,000) for the purpose of purchasing a used fire truck and to take any action needed in relation thereto? All of the Two Hundred Fifty Thousand (\$250,000) will be withdrawn from the previously established Weare Fire Department Vehicle Replacement Special Revenue Fund." A second was made. Discussion: Mr. Kurk stated that he just had a quick conversation with a member of the Board of Fire Wards and he thinks they can afford to do this within that amount and still keep the funds for future purchases. He felt the used vehicle is the way to go. Brenda Lashway asked what happens if they can't find one for that amount. Moderator Buono responded that is the top dollar they can spend. Chairman Clow responded that we have heard about all the lack of planning, and how can we just have a couple minute conversation at the side of the room and make an amendment. We got an estimate cost for the engine that will be used to save the lives of residents of the Town of Weare, how can we just cut that without any information. Selectman Butt agreed with Chairman Clow because when they heard this was a vehicle that was oversized, they met with the Board of Fire wards and asked if this was the right vehicle and there were studies done to support the warranting of this. To have a casual conversation in the corner of the room is not necessary. It should come from the Board of Fire Wards and not a resident.

Paul Marsh asked how we are going to equip it if we don't add the words "or any other action in relation thereto". He was not supportive of this amendment. Mr. Kurk agreed with both Chairman Clow and Selectman Butt, it is a conversation in the corner of the room, but he was on the Planning Board when this came forward, he asked about a used vehicle and he voted against it for that. The other alternative is to vote down the whole article and have them come back with another alternative.

Forrest Esenwine stated that he thinks that some of the statements that have been made don't stand up to scrutiny. The Board of Fire Wards have come up with this and we have the right to question things. All of a sudden all these things that come up from the Fire Department are not being thought out. He thinks in reducing this figure it

puts the Board of Fire Wards in a position that they have to do something and do it right.

Jan Brown feels that if we are going to spend \$460,000 on a fire truck, she would like to know the details of the truck.

Chairman Clow reiterated that meeting with the Board of Fire Wards and came away with the confidence that the homework had been done. One of the requirements that drives up the price has to do with mandates for safety. He is opposed to the amendment. Mr. Tiffany stated that the cost of this truck has gone up \$60,000 over last year due to the requirements of what needs to go on this truck for safety requirements. Selectman Butt stated everyone should consider safety. Vote on the amendment: amendment failed.

Selectman Butt would like to amend the article remove the word "new" and leave the rest of the article as written; George Malette seconded the motion. Discussion: Mr. Malette stated that he would like to encourage the Board of Fire Wards to make the best decision. John Lawton doesn't have a problem with buying used but people need to consider this is going to be in service for 30 years we need to look at that. Vote: amendment passed.

Being there was no further discussion, a motion was made and seconded to restrict reconsideration, all in favor.

The meeting was recessed for 15 minutes for lunch.

ARTICLE 19

Shall the Town raise and appropriate the sum of Forty-Six Thousand, Five Hundred Forty-Two Dollars (\$46,542.00) to serve as funds for employee raises, said funds to be allocated based upon merit/ personnel performance reviews?
Anticipated tax impact = \$0.05

Moderator Buono read the article and recognized Selectman Kurk to speak. Selectman Kurk moved to amend the dollar amount to \$28,055.17, Chairman Clow seconded the motion. Discussion: Selectman Kurk stated this amount would cover 13 employees; Library employees and the Fire Department at 2.5% increase. This doesn't include Police and Highway union entities. In the last 7 years our staff has gotten raises 4 out of 7 years. The total amount being 13% over those years which comes out to less than 2% per year.

Johnna Grzywacz asked for clarification, does this dollar amount include the prior Town Administrator. Selectman Kurk responded no. Ms. Grzywacz asked if this amount has a duration or is it perpetual? Is it for this year or all upcoming years? Selectman Kurk responded that this is just for this year. Ms. Grzywacz if the \$28,000 averages out to 5% or 2%. Selectman Kurk responded that the figure was derived at 5% but will be decided upon by merit. The 2.5% for the Fire Department is something that they do

every year. Chairman Clow stated that the 2.5% is built in the Fire Department policy and that is why theirs is different.

John Lawton asked in the original article what was the \$46,000 going to do. Selectman Kurk stated that it included the Highway and Transfer Station but they now have notification that they formed a union and they can't be included. They are going without a raise.

Frank Campana asked if the 2.5% for the Fire Department is that across the board. Selectman Kurk responded yes. The 5% is a pool of money to be divvied out by the merit raises. Tina Connor stated that approximately \$2,400 is for the Fire Department.

Forrest Esenwine commented that in times like this he is concerned with articles like this. He believes that everyone that has a job should have an increase as the cost of living increases. But in the economy we are in now the public workers need to get the raise. He would be embarrassed as could be if he was asking his neighbors to pay more taxes if they have lost their job so I could have mine. Governor Lynch is looking at cutbacks at the State Level. He would like to see it zeroed out.

Janet Berry stated that the economic conditions are real and we have become more reliable on the public. She feels the town employees are working hard in the current situation. The vote was taken on the amendment: in favor.

Johnna Grzywacz stated that she would like to see an amendment stated that would reduce the Town portion raise to be 3% and the Fire Department to be 2.5% for a sum of \$17,400. She asked about the scale, what is the top and what is the bottom. Chairman Clow explained that this is a pool of money for employee raises, based on employee reviews. It is a 5% total. They wanted it to be opened to allow the flexibility. Mrs. Grzywacz moved to amended the article from the \$28,000 to \$17,400 and leaving the rest of the article the same. Frank Campana seconded the motion. Discussion: Paul Marsh points out that the original article would be almost like giving each employee \$300 each. He opposed the amendment. Frank Campana wants to understand the amendment. The total of \$17,400 you would be taking \$2,400 for the Fire Department leaving \$15,000 or 3%? Chairman Clow stated that he is not in support of the amendment and he would like to repeat what Mr. Marsh stated. Chris Hague wanted to point out that cutting a dollar amount is not mathematically cutting a percentage. There wouldn't be enough to go around with this method. If this doesn't go through hiring would be difficult. Tina Connor stated that if you take 2% off of the \$28,000 how do you get to \$17,400, she came up with something different. Evelyn Connor stated that the Fire Department has had a 2.5% increase every year as part of the budget and this year was separated out. Frank Campana stated that he is torn between the original amount and the amendment. Vote on the amendment: failed.

Moderator Buono stated that brings us back to the original motion: \$28,055.17.

Being there was no further discussion, a motion was made and seconded to restrict reconsideration, all in favor.

ARTICLE 20

Shall the Town raise and appropriate the sum of Thirty Thousand Dollars (\$30,000.00) to be added to the previously existing Employee Retirement Capital Reserve Fund?

Anticipated tax impact = \$ 0.03

(Recommended by Board of Selectmen)

Moderator Buono read the article and recognized Selectman Clark to speak. Selectman Clark stated that this fund was put in place so that as people leave employment we have a place to take the earned time from.

Being there was no further discussion, a motion was made and seconded to restrict reconsideration, all in favor.

ARTICLE 21

Shall the Town raise and appropriate the sum of Seven Thousand Dollars (\$7,000.00) for the purpose of purchasing fireworks for the 2009 Weare Patriotic Celebration? This warrant article has been designated by the Board of Selectmen as a Special Warrant Article so that the funds, if approved, may not be transferred for any other purposes.

Anticipated tax impact = \$0.007

(Recommended by Board of Selectmen)

Moderator Buono read the article and recognized Selectman Kurk who recognized Evelyn Connor to speak. Mrs. Connor stated that this covers the cost for fireworks for our annual celebration. The cost of the fireworks has gone up and this increase covers the increase.

Bill Tiffany stated that the Chinese have levied a 15-20% cost increase, which is why the cost is higher than in years past.

Being there was no further discussion, a motion was made and seconded to restrict reconsideration, all in favor.

ARTICLE 22

Shall the Town raise and appropriate the sum of Ten Thousand Dollars (\$10,000.00) to fund the hiring of a part-time Cable TV/Communications Coordinator, said sum to cover six (6) months in 2009? If approved, future funding for this position will be included in the Operating Budget on an annual fiscal year (12-month) basis.

Anticipated tax impact = \$0.01

Moderator Buono read the article and recognized Selectman Butt to speak. Selectman Butt stated that this is a request that came to us from the Cable Committee. Over the years we have spent money, just recently \$40,000 to upgrade the equipment at the studio. At this point in time, because of lack of volunteers and technology, the committee feels it is time that the town hire someone with some technical experience on a part time basis to run the studio.

Being there was no further discussion, a motion was made and seconded to restrict reconsideration, all in favor.

ARTICLE 23

Shall the Town modify the purposes of the existing Capital Reserve Fund established under the provisions of RSA 35:1 and titled the Government Building and Maintenance Fund so as to include the following purposes: maintenance, repairs, capital improvements, and professional studies to/for Town buildings.

(2/3 vote required for passage).

Anticipated tax impact = \$0.00

Moderator Buono read this article and recognized Chairman Clow to speak. Chairman Clow stated that over the years there has been some discussion by certain trustees as to what qualifies for this fund and what does not. The purpose of this article is to change wording and purpose to allow maintenance items as well as professional studies. It passed will expand the fund to include maintenance, capital improvements and need studies. This is the same article that was placed on the ballot last year and only failed by 12 votes.

Being there was no further discussion, a motion was made and seconded to restrict reconsideration, all in favor.

ARTICLE 24

Shall the Town rescind the Town of Weare Earth Products Ordinance originally adopted at the 1972 annual town meeting, as well as any subsequent amendments thereto, and, in lieu thereof, to designate the Board of Selectmen as the Regulator for purposes of matters involving earth material removal, as provided for in RSA 155-E:1, (III)(a), it being understood that, once so designated, the Board of Selectmen, as such Regulator, will be empowered to exercise any and all authority provided to the Regulator by RSA 155-E, including, but not limited to, the authority to adopt regulations governing earth material removal within the Town of Weare, as authorized by RSA 155-E:11.

Moderator Buono read the article and recognized Selectman Kurk to speak. Selectman Kurk explained that this is really a housekeeping issue but is recommended by the Department of Revenue Administration to keep us in compliance with RSA 155:E, it doesn't change any of the gravel rules. In 1972 when this ordinance came forward it tied the hands of the Selectmen, who were and are still the regulations by requiring that any changes to the ordinance have to go to Town meeting. This would allow changes to be made at a public hearing at the Board of Selectmen level.

Being there was no further discussion, a motion was made and seconded to restrict reconsideration, all in favor.

ARTICLE 25

Shall the Town amend the Finance Committee Ordinance to specify an eleven (11)-member body instead of the current thirteen (13) members now mandated? Thus, the Ordinance would then read: "The Weare Finance Committee shall be composed of 11 members appointed by the Town Moderator." All other provisions of the Ordinance would remain the same.

Moderator Buono read the article and recognized Selectman Clark to speak. Selectman Clark moved to amend the article by removing the question mark after the word mandated and add the following words "and to make all necessary editorial changes to effectuate this change and to furthermore change the requirement of 2-6 member units to 2-5 member units." The rest of the article would remain the same. Selectman Kurk seconded the motion. Attorney Laura Spector helped with the above wording, as it was changed several times to arrive at the above wording. Vote: in favor.

Forrest Esenwine stated that he would like to make an amendment to have the Finance Committee consist of nine (9) members versus eleven (11). The Moderator has had an impossible time to get 13 members, let alone 11. There was a second to Mr. Esenwine's motion.

Beth Salerno stated that they regularly had six members but it took a quorum of seven to hold a meeting, so she would like to support the amendment. George Malette supports this amendment, he feels that nine is a more realistic than 13 and he feels it would work out well. Forrest Esenwine stated that it has just been brought to his attention that it would be better if we didn't specify the quorum limits, because we are talking about three districts here.

The amended article would read: "Shall the Town amend the Finance Committee Ordinance to specify a Nine (9) member body instead of the current Thirteen (13) members now mandated and to make all necessary editorial changes to effectuate this change and to furthermore allow the committee to organize their sub units as they see fit?" Vote: all in favor amendment passes.

Being there was no further discussion, a motion was made and seconded to restrict reconsideration, all in favor.

ARTICLE 26

To transact any other business which may legally come before this meeting?

Chairman Clow stated that at this time he would like to recognize two (2) members of the Board of Selectmen that will be leaving after the vote on March 10th. Chairman Clow presented Selectman Clark and Selectman Kurk with plaques for their time of service and thanked them.

As there was no further business to come before those present, a motion was made and seconded to adjourn.

Respectfully submitted,

Naomi L. Bolton
Minute Taker